

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Kevin L. Street

Docket No. 5:14-MJ-1018-1

Petition for Action on Probation

COMES NOW Debbie W. Starling, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kevin L. Street, who, upon an earlier plea of guilty to Simple Possession of a Controlled Substance, in violation of 21 U.S.C. §844(a), was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on October 8, 2014, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 15 days as arranged by the probation office.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant submitted a urine specimen on January 20, 2015, which proved positive for cocaine. When confronted, the defendant admitted that he used cocaine on January 17, 2015. He attributed his relapse to the recent death of his grandmother and expressed remorse for his poor judgment. The defendant has been participating in substance abuse treatment and his treatment provider has recommended continued treatment which will include tools for dealing with grief/loss as well as relapse prevention. Street will continue to be monitored through the Surprise Urinalysis Program to detect any future drug use. As a punitive sanction, it is respectfully recommended that his conditions of supervision be modified to include 60 days of home detention, to be supported by electronic monitoring. The defendant has failed to pay monies toward his special assessment or fine in this case. A review of his financial status would indicate the non-payment does not appear to be willful as his monthly expenses exceed his monthly income. Given his financial hardship, it is recommended that the government be responsible for payment of location monitoring fees.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. The government will be responsible for payment of location monitoring fees.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Debbie W. Starling
Debbie W. Starling
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: February 4, 2015

ORDER OF COURT

Considered and ordered this 4 day of February, 2015, and ordered filed and made a part of the records in the above case.


Robert B. Jones, Jr.
U.S. Magistrate Judge